

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit : 2878
Examiner : Brian J. Livedalen
Applicants : Brent J. Bos, Kenneth Schofield, Mark L. Larson and Niall R. Lynam
Serial No. : 10/823,323
Filed : April 13, 2004
For : CONTROL SYSTEM INCLUDING AN IMAGING SENSOR

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING-
REJECTION [37 C.F.R. 1.321(b)]**

The undersigned Disclaimant, Niall R. Lynam, is Senior Vice President and Chief Technical Officer of Petitioner and represents that he is empowered to act on behalf of the Petitioner and Assignee identified below.

Petitioner, Donnelly Corporation, 414 East Fortieth Street, Holland, Michigan 49423, is the Assignee and owner of the entire right, title and interest in and to the above-identified application and invention. This application is a continuation of U.S. patent application, Serial No. 10/011,517, filed November 05, 2001, now U.S. Patent No. 6,806,452, which is a continuation of U.S. patent application, Serial No. 09/346,352, filed July 2, 1999 by Bos et al., now U.S. Patent No. 6,313,454. This application is also a continuation-in-part of U.S. patent application, Serial No. 09/599,979, filed June 22, 2000, now U.S. Patent No. 6,320,176, which is a continuation of U.S. patent application, Serial No. 09/135,565, filed on August 17, 1998, now U.S. Patent No. 6,097,023, and this application is a continuation-in-part of U.S. patent application, Serial No. 09/776,625, filed February 5, 2001, now U.S. Patent No. 6,611,202, which is a continuation of U.S. patent application, Serial No. 09/313,139, filed May 17, 1999, now U.S. Patent No. 6,222,447, which is a continuation of U.S. patent application, Serial No. 08/935,336, filed September 22, 1997, now U.S. Patent No. 5,949,331, and this application is a continuation-in-part of U.S. patent application, Serial No. 09/530,306, filed April 27, 2000, now U.S. Patent No. 6,353,392, which is a 371 national phase application of International PCT Application No. PCT/US98/23062, filed October 30, 1998, which claims priority on U.S. provisional application, Serial No. 60/064,335, filed October 30, 1997. The Assignment to Petitioner for the present application was recorded at Reel 010084, Frame 0735.

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Petitioner and Assignee state that the evidentiary document, namely the Assignment, has been reviewed, and Petitioner hereby certifies that, to the best of its knowledge and belief, title is in the Assignee seeking to take the below action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term of United States Patent No. 6,806,452, which issued on October 19, 2004, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,806,452, which issued on October 19, 2004, this agreement to run with any patent on the above-identified application and to be binding upon the grantor, its successors or assignees.

Petitioner does not disclaim any part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,806,452, which issued on October 19, 2004, in the event that the respective patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, as set under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DONNELLY CORPORATION

Date: March 27 2007

By: Niall R. Lynam
Niall R. Lynam
Senior Vice President and
Chief Technical Officer